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12/13/01
JOSPEH S.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 5004273-001US1

First Inventor Bernhard Wartenhorst

Title MECHANICAL MILKING PROCEDURE FOR ANIMALS,
ESPECIALLY COWS

Express Mail Label No. ET 11351644003

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 8]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 0]
5. Oath or Declaration [Total Pages 2]
 a. Newly executed (original or copy)
 b. Copy from a prior application (37 CFR 1.63 (d))
 (for a continuation/divisional with Box 18 completed)
 i. **DELETION OF INVENTOR(S)**
 Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 a. Computer Readable Form (CRF)
 b. Specification Sequence Listing on:
 i. CD-ROM or CD-R (2 copies); or
 ii. paper
 c. Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 C.F.R. §3.73(b) Statement Power of Attorney
(when there is an assignee)
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other: _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP)

of prior application No: _____ / _____

Prior application information: Examiner _____

Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS Customer Number or Bar Code Label

29739

(Insert Customer No. or print bar code label here)

or Correspondence address below

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|---------|------------------------------------|--|----------|--|--|
| Name | 29739 PATENT & TRADEMARK OFFICE | | | | |
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| City | State | | Zip Code | | |
| Country | Telephone | | Fax | | |

| | | | |
|-------------------|-------------------------|-----------------------------------|-------------------|
| Name (Print/Type) | Philip P. McCann | Registration No. (Attorney/Agent) | 30,919 |
| Signature | <i>Philip P. McCann</i> | Date | December 13, 2001 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 370

Complete If Known

| | |
|----------------------|----------------------|
| Application Number | |
| Filing Date | December 13, 2001 |
| First Named Inventor | Bernhard Wartenhorst |
| Examiner Name | |
| Group / Art Unit | |

Attorney Docket No. 5004273-001US1

JCSB2 US PTO 15740
12/13/01

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

| | |
|------------------------|--|
| Deposit Account Number | |
|------------------------|--|

| | |
|----------------------|--|
| Deposit Account Name | |
|----------------------|--|

- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
 Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. **BASIC FILING FEE**

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|-----------------|-----------------|------------------------|
| 101 | 740 | 201 | 370 | Utility filing fee |
| 106 | 330 | 206 | 165 | Design filing fee |
| 107 | 510 | 207 | 255 | Plant filing fee |
| 108 | 740 | 208 | 370 | Reissue filing fee |
| 114 | 160 | 214 | 80 | Provisional filing fee |

SUBTOTAL (1) (\$) 370

2. **EXTRA CLAIM FEES**

| Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|--------------|----------------|----------|
| | 9 | -20 ** | = 0 | X | = 0 |
| | 1 | -3 ** | = 0 | X | = 0 |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Entity Fee (\$) | Fee Description |
|----------------------------|----------------------------|-----------------|-----------------|
| 103 | 18 | 203 | 9 |
| 102 | 84 | 202 | 42 |
| 104 | 280 | 204 | 140 |
| 109 | 84 | 209 | 42 |
| 110 | 18 | 210 | 9 |

SUBTOTAL (2) (\$) 0

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. **ADDITIONAL FEES**

| Fee Code | Large Entity Fee (\$) | Small Entity Fee (\$) | Fee Description | Fee Paid |
|----------|-----------------------|-----------------------|---|----------|
| 105 | 130 | 205 | 65 Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 Non-English specification | |
| 147 | 2,520 | 147 | 2,520 For filing a request for reexamination | |
| 112 | 920* | 112 | 920* Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 Extension for reply within first month | |
| 116 | 400 | 216 | 200 Extension for reply within second month | |
| 117 | 920 | 217 | 460 Extension for reply within third month | |
| 118 | 1,440 | 218 | 720 Extension for reply within fourth month | |
| 128 | 1,960 | 228 | 980 Extension for reply within fifth month | |
| 119 | 320 | 219 | 160 Notice of Appeal | |
| 120 | 320 | 220 | 160 Filing a brief in support of an appeal | |
| 121 | 280 | 221 | 140 Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 Petition to revive – unavoidable | |
| 141 | 1,280 | 241 | 640 Petition to revive – unintentional | |
| 142 | 1,280 | 242 | 640 Utility issue fee (or reissue) | |
| 143 | 460 | 243 | 230 Design issue fee | |
| 144 | 620 | 244 | 310 Plant issue fee | |
| 122 | 130 | 122 | 130 Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 Processing fee under 37 CFR 1.17 (q) | |
| 126 | 180 | 126 | 180 Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 Recording each patent assignment per property (times number of properties) | |
| 146 | 740 | 246 | 370 Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 740 | 249 | 370 For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 740 | 279 | 370 Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$) 0

** or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

Complete (if applicable)

| | | | | | |
|-------------------|---|----------------------------------|--------|-----------|-------------------|
| Name (Print/Type) | Philip J. McCann | Registration No. Attorney/Agent) | 30,919 | Telephone | (704) 343-2313 |
| Signature |  | | | Date | December 13, 2001 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

JC832 U.S. PRO
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents
Washington, DC 20231
c/o USPTO
P.O. Box 2327
Arlington, VA 22202-0327

Sir:

CERTIFICATE OF MAILING/EXPRESS MAIL

"Express Mail" Mailing Label Number **ET113516440US**

ET 113516440 US

Date of Deposit: **December 13, 2001**

I hereby certify that this paper, which is a utility patent application entitled
MECHANICAL MILKING PROCEDURE FOR ANIMALS, ESPECIALLY COWS
(our File No. 5004273-001US1), and the attached fee are being deposited with the United
States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10
on the date indicated above, and is addressed to the Assistant Commissioner for Patents,
Washington, DC 20231, c/o USPTO, P.O. Box 2327, Arlington, VA 22202-0327.

Mailed By:



Malinda Spencer

SMITH HELMS MULLISS & MOORE, L.L.P.

Attorneys at Law

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Charlotte, NC 28202
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(704) 343-2000



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December 13, 2001

10/015740
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12/13/01

VIA EXPRESS MAIL

Assistant Director for Patents
Washington, D.C. 20231
c/o USPTO
P.O. Box 2327
Arlington, VA 22202-0327

Re: **Utility Patent Application**
For: METHOD FOR MACHINE MILKING ANIMALS,
ESPECIALLY COWS
Our File No.: 5004273-001US1

Dear Sir:

We herewith transmit for filing a new patent application and an Information Disclosure Statement in the above-referenced matter.

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account No. 501-564.

Sincerely,

Malinda Spencer, Paralegal

Enclosures